REMARKS

The Examiner has rejected Claim 26 under 35 U.S.C. 112, second paragraph as having insufficient antecedent basis. The Examiner has further rejected Claim 27 for being dependent on Claim 26. Applicant respectfully asserts that such rejections are moot in view of the clarification made to Claim 26.

The Examiner has rejected Claims 1-25 and 28-29 under 35 U.S.C. 102(b) as being anticipated by Ginter et al. (U.S. Patent No. 5,892,900). Applicant respectfully disagrees with such rejection.

With respect to independent Claims 1, 7, 12 and 29, the Examiner has failed to make any prior art showing of applicant's claimed "detecting a network access request from an application" (see this or similar, but not identical language in each of the foregoing claims). Applicant respectfully asserts that nowhere in Ginter is there any teaching of such claim language, especially in view of the fact that the only "access request" disclosed by Ginter relates to user access and not an access request from an application, as claimed by applicant.

In addition, the Examiner has relied on Ginter's disclosure of "rules and controls" (Fig. 2A) and "permissions record" (Fig. 5A, item 808) to make a prior art showing of applicant's claimed "examining an application policy file" (see this or similar, but not identical language in each of the foregoing claims). However, Ginter's rules and controls only relate to the distribution of content (see Col. 56, lines 6-11) and Ginter's permissions record merely relates to rights associated with an object where that object is a container with content (see Col. 59, lines 14-15 and 44-45). Thus, such teachings clearly do not meet applicant's application policy file since nowhere in Ginter is there even any mention of a policy file associated with an application.

Furthermore, with respect to applicant's claimed "...to determine if the application is authorized to access the network by comparing an identifier for the

application with identifiers in the application policy file that correspond to applications authorized for installation on computers coupled to the network" (see this or similar, but not identical language in each of the foregoing claims), the Examiner has relied on Ginter's virtual distribution environment (Figs. 69A-69M).

Applicant respectfully asserts that after careful review of Ginter's virtual distribution environment, it is clear that there is simply no disclosure of any sort of "comparing an identifier for the application with identifiers in the applications policy file that correspond to applications authorized for installation" (emphasis added). Ginter simply teaches encrypting installation materials using secret keys and a registry with decryption keys that are supplied on demand during a registration process (Col. 237, lines 4-20; Fig. 69A, items 3474 and 3478). Simply utilizing secret keys for decrypting an encrypted installation program, as disclosed by Ginter, in no way meet applicant's specific claim language, namely comparing identifiers where the "applications policy file [includes identifiers for] applications [that are] authorized for installation."

With respect to independent Claim 18, the Examiner has relied on the same rejections as given with respect to the above argued independent Claims. Thus, for the same or similar reasons as given above, application respectfully asserts that the Ginter reference does not meet applicant's specific claim language. Furthermore, it seems the Examiner has relied on Ginter's broad disclosure of VDE's ability to provide generalized configurability (Col. 12, line 18-Col. 12, line 67) to make a prior art showing of applicant's claimed "field[s]." However, Ginter merely teaches that such configurability arises from requirements for supporting electronic commerce and data security, but not the specific items capable of being configured. Thus, there is simply no teaching in Ginter of applicant's specific claim language, and in particular there is no teaching of any sort of "application identifier field," "network identifier field," and "access flag field," in the context claimed by applicant.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a

single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.*868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Ginter reference, especially in view of the arguments made hereinabove. A notice of allowance or a specific prior art showing of each of the foregoing claimed features, in combination with the remaining claimed features, is respectfully requested.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. Just by way of example, the Examiner relies on Ginter's disclosure of assigning "each person using an electronic appliance 600...a set of permitted sensitivity attributes to designate those documents, or one or more portions of certain documents types, which could be processed in certain one or more ways, by the person's electronic appliance" (Col. 302, line 40-Col. 303, line 39) to make a prior art showing of applicant's claimed "determining a network resource requested by the application; examining the application policy file to determining if the application is authorized to access the network resource; and allowing access to the network resource if the application is authorized to access the network resource" (see Claim 2 et al.).

Applicant respectfully asserts that Ginter merely teaches user permissions with respect to accessing documents, and not application permissions with respect to accessing a network resource, in the manner claimed by applicant.

With respect to dependent Claim 3 et al., the Examiner has again relied on Col. 302, line 40-Col. 303, line 39 of Ginter to make a prior art showing of applicant's claimed "determining a type of network access requested by the application; examining the application policy file to determine if the application is authorized for the type of network access requested; and allowing the type of network access requested if the

application is authorized for the type of network access requested." Again, applicant respectfully asserts that Ginter merely teaches user permissions with respect to accessing documents, and not application permissions with respect to a type of network access, in the manner claimed by applicant.

With respect to dependent Claim 4 et al., the Examiner has yet again relied on Col. 302, line 40-Col. 303, line 39 of Ginter to make a prior art showing of applicant's claimed "updating the application policy file; and re-evaluating applications currently executing again the updated policy file." Applicant respectfully asserts that the only modification made to document control policies as disclosed in Ginter relates to the original creation of the control policies and the different types of controls that may be placed on a document. There is simply no disclosure of any type of update, and especially not of re-evaluating an updated policy file in the manner claimed by applicant.

With respect to dependent Claim 5 et al., the Examiner has relied on Figures 5A and 5B of Ginter to make a prior art showing of applicant's claimed "wherein the application identifier is in the network access request." However, the referenced figures merely teach a permissions record, which relates to rights associated with an object where that object is a container with content (see Col. 59, lines 14-15 and 44-45). There is simply no such application identifier that is included in the network access request, in the manner claimed by applicant.

With respect to dependent Claim 6 et al., the Examiner has relied on Ginter 112 to make a prior art showing of applicant's claimed "wherein the method is performed on a client computer on which the application is executing." Applicant assumes that the Examiner was referring to Figure 2A, item 112, which simply discloses a content user that uses content in accordance with rules and controls (see Col. 56, lines 28-29). A content user that is subject to rules and controls for the specific content simply does not teach "a client computer on which the application is executing," particularly because there is simply no mention of a client computer nor the execution of an application in Ginter.

With respect to dependent Claim 15, the Examiner has still yet again relied on Ginter's document control policies to make a prior art showing of applicant's claimed "wherein the application policy process further causes the processing unit to update the application policy file, and to re-evaluate applications currently executing against the updated policy file." Applicant respectfully asserts that such claim language in simply not met by the Ginter reference for the same reasons as argued with respect to dependent Claim 4 et al.

With respect to dependent Claims 19, 20, 22, 23 and 25, the Examiner has relied on Ginter's disclosure of VDE (Col. 3, line 18-Col. 13, line 67) to make a prior art showing thereof. Specifically, applicant respectfully asserts that Ginter does not disclose any type of "application identifier field," "network identifier field" (see Claim 19) or a "response field" (see Claim 20). In addition, there is simply no mention in the above excerpt of any type of "application identifier," let alone an application identifier that is either a file name of the application or a path on the network (see Claim 22), or of "a plurality of the application identifiers" in the context claimed by applicant (see Claim 23). Still yet, the above excerpt from Ginter does not teach a "network identifier [that is] a Universal Naming Convention path [or] a network address range" (see Claim 25).

With respect to dependent Claim 24, the Examiner has again relied on Ginter's disclosure of "Document Control Policies" (Col. 302, line 40-Col. 303, line 39) to make a prior art showing of applicant's claimed "wherein each application entry in the application policy file comprises a set of access policy rules for one of a network and a network resource identified by the network identifier." Again, as previously asserted, Ginter's document control policies relate to user permissions with respect to accessing documents, and not application permissions with respect to a network or network resource, in the manner claimed by applicant.

With respect to dependent Claim 28, the Examiner has again relied on Ginter's document control policies (Col. 302, line 40-Col. 303, line 39) to make a prior art

showing of applicant's claimed "where the application policy file includes an application identifier, a network identifier, an access flag, additional policy rules, and at least on application entry." Applicant respectfully asserts that Ginter's document control policies relate to user permissions with respect to accessing documents, which would only require a designation of the user, the document, permissions with respect to the particular user and document, and would not require, nor suggest, an application identifier, a network identifier, additional policy rules, or an application entry since such method in Ginter does not relate to an application accessing a network, in the manner claimed by applicant.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P351/01.012.01).

Respectfully submitted,
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